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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,390	12/12/2003	Yasushi Okabe	102464.05	8517
25944	7590	04/06/2004	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			CHEN, SOPHIA S	
			ART UNIT	PAPER NUMBER
			2852	
DATE MAILED: 04/06/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/733,390

Applicant(s)

OKABE ET AL.

Examiner

Sophia S. Chen

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 and 17 is/are allowed.
- 6) ☒ Claim(s) 1,2,10,12-15,18 and 19 is/are rejected.
- 7) ☒ Claim(s) 3-9,11,20 and 21 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/281,948 & 09/501,659.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/12/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. This application appears to be a division of Application No. 10/364,416, filed February 12, 2003, which is in turn a Divisional of Application No. 10/153,643 filed May 24, 2002, which is a Divisional of Application No. 09/928,514 filed August 14, 2001, which is a Divisional of Application No. 09/501,659 filed February 10, 2000, which is a Continuation-in-Part of Application No. 09/281,948 filed March 31, 1999. A later application for a distinct or independent invention, carved out of a pending application and disclosing and claiming only subject matter disclosed in an earlier or parent application is known as a divisional application or "division." The divisional application should set forth only that portion of the earlier disclosure which is germane to the invention as claimed in the divisional application.

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application Nos. 09/281,948 and 09/501,659, filed on 3/31/99 and 2/10/00, respectively. **Claim**

Objections

3. Claims 3-5, 9, 10, and 18-21 are objected to because of the following informalities:

- a. Claim 1, last line, "a developer cartridge" should be "the developer cartridge" because this cartridge has been claimed in claim 1.
- b. Claim 9, last line, "member" should be "roller" to be consistent with the terminology used in claim 9, line 2.

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- c. Claim 10, line 4, "accomodated" is misspelled.
- d. Claim 18, line 7, "accomodated" is misspelled.
- e. Claim 18, last line, "accomodated" is misspelled.
- f. Claim 19, line 9, "a developing roller" should be "the developing roller" because this roller has been claimed in claim 19, line 5.
- g. Claim 19, line 11, "accomodated" is misspelled.
- h. Claim 21, line 2, "unit" should be "cartridge" to be consistent with the terminology used in claim 19, line 1.
- i. Claim 21, line 7, "unit" should be "cartridge" to be consistent with the terminology used in claim 19, line 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Yashiro (U.S. Pat. No. 5,745,824, cited in Form PTO-1449).

The patent discloses a method of using a process cartridge 250, comprising: attaching a first cartridge 200 to a second cartridge 100 to form a process cartridge 250 such that a top surface of the first cartridge 200 and a top surface of the second cartridge 100 form a substantially common surface or co-planar when the first cartridge 200 is attached to the second cartridge 100 (Figures 2(a) and 2(b)); attaching the first cartridge 200 to an accommodating portion 107d of the second cartridge 100 (Figure 2(a)); and locking (via elements 123 and 305) the first cartridge 200 to the second cartridge 100 when the first cartridge 200 is accommodated at the accommodating portion 107d (Figures 2(a) and 2(c)).

6. Claim 19 is rejected under 35 U.S.C. 102(e) as being anticipated by Yashiro.

The patent discloses a method of using a process cartridge 250, comprising: supporting a photosensitive member 104, on which an electrostatic latent image is formed and which receives developer supplied by a developer roller 106a, in a case 100a of a photosensitive member cartridge 100 (column 4, lines 51-64); fittingly setting a developer cartridge 200 into an accommodating portion 107d of the case 100a (Figure 2(a)); and urging (via a spring 124) the developing roller 106a of the developer cartridge 200 to the photosensitive member 104 when the developer cartridge 200 is accommodated to the photosensitive member cartridge 100 (column 5, lines 1-17).

7. Claim 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi et al. (U.S. Pat. No. 5,160,964)

The patent discloses a method for using a process cartridge 51, comprising: rotatably providing a photosensitive member 55 in a case 54 of a photosensitive

member cartridge (Figure 7B); substantially covering the photosensitive member 55 with the case 54, the case 54 having a bottom wall, the bottom wall of the case 54 having an accommodating portion (Figures 6 and 7B); attaching a developer cartridge 52a to the accommodating portion (Figures 6, 7A, and 7B); and locking (via a lever 101) the developer cartridge to the accommodating portion.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 1, 2, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isobe et al. (JP 06-186798, cited in Form PTO-1449) in view of Shishido et al. (U.S. Pat. No. 5,585,889, cited in Form PTO-1449)

Isobe et al. discloses a method for using an image forming apparatus A, comprising: attaching a developer cartridge 10 to an accommodating portion of a photosensitive member cartridge 11 to form a process unit B (Figures 3, 10, and 12); attaching the process unit B to a housing A from a front face of the housing A (Figures 1 and 3); attaching a feed cassette 3a that accommodates a recording medium to the housing A (Figure 1); locking (via elements 25, 26, or 21, 22) the developer cartridge 10 to the photosensitive member cartridge 11 when the developer cartridge 10 is accommodated at the accommodating portion (Figures 9 and 12) ; and urging (via springs 26 or 22) a developing roller 10d of the developer cartridge 10 to the photosensitive member 7 when the developer cartridge 10 is accommodated to the photosensitive member cartridge 11 (Figures 9 and 12).

Isobe et al. differs from the instant claimed invention in not disclosing the feed cassette is attached to the housing from the front face.

Shishido et al. discloses a method for using an image forming apparatus 1, comprising: attaching a process unit 3 to a housing 1 from a front face of the housing 1 (Figures 3 and 4), and attaching a feed cassette 10 that accommodates a recording medium P to the housing 1 from the front face (Figure 3, see the arrow B; column 4, lines 40-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the direction of attaching the feed cassette as taught by Shishido et al. to the feed cassette of Isobe et al. to be easier for the user to add the recording medium to the feed cassette since it is just in front of the user.

Allowable Subject Matter

11. Claims 16 and 17 are allowed.
12. Claims 3-9, 11, 20, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
13. The following is a statement of reasons for the indication of allowable subject matter: Claim 16 is allowable over the prior art because the prior art of record does not teach or suggest a method of attaching a developer cartridge to an extending portion, extending below a transfer roller, of a bottom wall of a photosensitive member cartridge.

Other Prior Art

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Yamaguchi et al. (U.S. Pat. No. 5,899,601) discloses an image forming apparatus comprising a process cartridge; the process cartridge having a drum unit and a developing unit; the process cartridge being attached or detached to the apparatus from a front face; and feed cassettes.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sophia S. Chen whose telephone number is (703) 308-7617. The examiner can normally be reached on M-F (7:00-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (703) 308-1373. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sophia S. Chen
Primary Examiner
Art Unit 2852

Ssc
March 31, 2004